APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,720	04/09/2004	Sheng-Hsuan Liao	MR1035-1443	8996

4586   7590   02/29/2008
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EXAMINER
NGUYEN, PHUNG HOANG JOSEPH

ART UNIT	PAPER NUMBER
4183	

MAIL DATE	DELIVERY MODE
02/29/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *09 April 2004*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☒ All   b)☐ Some * c)☐ None of:

   1.☒ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1, 3, 8, 10-11 are rejected under 35 U.S.C. 102(b) as being anticipated by

Chen et al (US Pub 2003/0050062).

As to claim 1, Chen teaches interactive 2-way transfer multimedia messaging

service method (see abstract) comprising:

a user (i.e., multimedia clients 330 [par. 0032] or 410 [par. 0075] which operate

on the mobile devices (not shown), par. 0075) sends a multimedia message (i.e.,

multimedia data, for example, uncompressed video, par. 0008 or data requests and

user command requests [collectively referred to as service requests] par. 0032);

a multimedia messaging service center (i.e., multimedia servers 412a-412n, par.

0075) receives the multimedia message (i.e., multimedia data, par. 0008) and sends the

multimedia message (i.e., multimedia data, par. 0008) to a multimedia messaging

service dispatcher (i.e., a request dispatcher 354);

the multimedia messaging service dispatcher (i.e., a request dispatcher 354)

obtains an address (i.e., IP address and port number, see pars. 104-106; Also fig. 5,

label 522 – Obtain a mobile device transmission profile) of a service provider (i.e.,

multimedia sources 360, par. 0033) according to the multimedia message, contacts the

service provider, and obtains (i.e., multimedia source controller 356 instructs

multimedia source 360 to transfer the multimedia content to the transcoder 320, par.

0106) multimedia content (i.e., "play lists" of multimedia content, par. 0024) from the

service provider (i.e., multimedia sources 360, par. 0033);

and a common service platform (i.e., the transcoder processor 320, par. 0068)

transforms (i.e., applies continuously updated transcoding to each multimedia stream,

par. 0068) the multimedia content (i.e., "play lists" of multimedia content, par. 0024)

into a multimedia message reply (i.e., multimedia data, for example, uncompressed

video, par. 0008 or data requests and user command requests [collectively referred to

as service requests] par. 0032) and sends (i.e., at step 534 of fig. 5, the transcoder 320

delivers the transcoded content to multimedia client 330 for display video or reproduce

sound on the mobile device in response to the request) the reply to the user (i.e.,

multimedia clients 330 [par. 0032] or 410 [par. 0075] which operate on the mobile

devices (not shown), par. 0075) via the multimedia messaging service center (i.e.,

multimedia servers 412a-412n, par. 0075).

3.   As to claim 3, Chen teaches the user (i.e., multimedia clients 330 [par. 0032] or

410 [par. 0075] uses a mobile phone (fig. 1, label 104) to send the multimedia message

(i.e., multimedia data, par. 0008).

4.   As to claim 8, Chen teaches the multimedia messaging service dispatcher (i.e., a

request dispatcher 354) uses HTTP (par. 0043) to connect to the service provider (i.e.,

multimedia sources 360, par. 0033).

5.   As to claim 10, Chen teaches the transfer multimedia messaging service method

comprising a sender's address (i.e., my addresses, pars. 0047, 0056, and 0059) and the

multimedia content (i.e., "play lists" of multimedia content, par. 0024) to the user (i.e.,

multimedia clients 330 [par. 0032] or 410 [par. 0075] which operate on the mobile

devices (not shown), par. 0075) via the multimedia messaging service center (i.e.,

multimedia servers 412a-412n, par. 0075).

6.   As to claim 11, Chen teaches the common service platform (i.e., the transcoder

processor 320, par. 0068) and the service provider (i.e., multimedia sources 360, par.

0033) use HTTP (i.e., using and HTTP protocol, par. 0097) to transmit information.

Claim Rejections - 35 USC § 103

7.   The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

> 1.   Determining the scope and contents of the prior art.
> 2.   Ascertaining the differences between the prior art and the claims at issue.
> 3.   Resolving the level of ordinary skill in the pertinent art.
> 4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

9.   Claims 2 and 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Chen et al (US Pub 2003/0050062) in view of Wall (US Pat 6640086).

10.   As to claim 2, Chen teaches the interactive 2-way transfer multimedia messaging

service method (Abstract), and the user (i.e., multimedia clients 330 [par. 0032] or 410

[par. 0075] which operate on the mobile devices (not shown) par. 0075). Chen fails to

explicitly teach the steps are repeated continuously until the user stops sending

multimedia messages.

        Wall teaches the steps are repeated continuously until the user stops (i.e., if the

operator elects to create a new message, the process continues with step 114, col. 6,

lines 38-39 and if the operator elects to quit, the process continues with step 104 of fig.

3, which performs the acts needed to stop the process, col. 6, lines 44-46) sending

multimedia messages for the purpose of providing the user an ultimate control of the

process.

        Therefore, it would have been obvious to one of the ordinary skilled in the art at

the time of the invention was made to incorporate the teaching of Wall into Chen for the

purpose of providing the user/client the capability to effectively control every move of

the multimedia process.

11.   As to claim 4, Chen teaches the multimedia message (i.e., multimedia data, par.

0008) sent by the user (i.e., multimedia clients 330 [par. 0032] or 410 [par. 0075] which

operate on the mobile devices (not shown), par. 0075) comprises a sender's address

(i.e., my addresses, pars. 0047, 0056, and 0059). Chen fails to explicitly teach service code.

Wall teaches the service code (i.e., a code identifying the session and specifying a telephone number for the operator to call, col. 10, lines 59-60, line 65; col. 11, line 4) for the purpose of reducing the effort to access service.

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time of the invention was made to incorporate the teaching of Wall into Chen for the purpose of providing the user/client the capability to effectively and promptly access service in the process of the multimedia communication.

12. As to claim 5, Chen, in view of Wall, teaches the multimedia messaging service center (i.e., Chen: multimedia servers 412a-412n, par. 0075) obtains the session and service information (i.e., Chen: multimedia source preferences, multimedia play lists, and downloadable video clients for a particular multimedia format, par. 100) according to the service code (i.e., Chen: command, par. 0059).

13. As to claim 6, Chen, in view of Wall, teaches the multimedia messaging service center comprises a database (i.e., Chen: personal information database 344, par. 0032 and fig. 2, label 344) with a reference list of designated sessions and services (i.e., Chen: multimedia source preferences, multimedia play lists, and downloadable video clients for a particular multimedia format, par. 100).

14. As to claim 7, Chen to teaches multimedia messaging service dispatcher, multimedia message containing the session and service sent by the multimedia messaging service center and then connects to the designated service provider.

Furthermore, Chen teaches the use of HTTP (see claims 8 and 11). However, Chen fails to explicitly teach multimedia messaging service dispatcher obtains the designated URL according to the multimedia message.

URL (Universal Resource Locator) is a well-known web-related term describing its primary access mechanism used by HTTP to access resources and network location. Therefore, it would have been obvious to one of the ordinary skilled in the art at the time of the invention was made to incorporate the well-defined method into Chen for the purpose of specifying the exact network location of the service provider when being accessed by the user.

15.   Claims 9, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al (US Pub 2003/0050062) in view of Chen et al (US Pub 2003/0054810).

16.   As to claims 9 and 12, Chen teaches the multimedia messaging service method (Abstract), the multimedia messaging service dispatcher (i.e., a request dispatcher 354), and the service provider (i.e., multimedia sources 360, par. 0033). Furthermore, Chen et al (US Pub 2003/0050062) teaches the use of Internet (par. 0008) as one of the means to provide the multimedia interactions (par. 0008). However, Chen et al (US Pub 2003/0050062) fails to explicitly teach the multimedia messaging service dispatcher uses XML as well as the common service platform and the service provider use XML to transmit information.

Chen et al (US Pub 2003/0054810) teaches the use of the XML as the request and response format (pars. 0062, 0113 and 0148) for the purpose of providing a

variety of language in multimedia communication as XML (extensible Markup Language) has become increasingly popular as the return type of many Web services that support protocols like WebDAV (par. 0136). In further detail discussing the advantages of the XML as it is well known in the art that XML is a well-known and well-used markup language in web development world. It provides a mechanism to combine text-based and Unicode (or an industry standard allowing computers to consistently represent and manipulate text expressed in most of the world's writing systems). Simply, it allows almost any information in any written human language to be communicated. It allows validation using schema languages which makes effective unit-testing, firewalls, and software construction easier.

Therefore, it would have been obvious to one of the ordinary skilled in the art at the time of the invention was made to incorporate the teaching of Chen et al (US Pub 2003/0054810) into Chen et al (US Pub 2003/0050062) for the purpose of providing the best method of multimedia communication where the user enjoy the best technology available and the service provider boasts its marketability.

Cited Related Prior Art

The prior art made of record and not relied upon is considered pertinent applicant's disclosure.

Paila (US Pub 2003/0235278)

Gold et all (US Pub 2002/0032752)

Mousseau et al (US Pub 2002/0194285)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUNG-HOANG J. NGUYEN whose telephone number is (571)270-1949. The examiner can normally be reached on Monday to Thursday, 7:30AM - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Len Tran can be reached on 571 272 1184. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, please contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Date: Feb. 14, 2008   /Phung-Hoang J Nguyen/
                                                          Examiner, Art Unit 4183

/Len   Tran/
Supervisory Patent Examiner, Art Unit 4183